

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
17 FEBRUARY 2021
7:30 P.M.
PUBLIC HEARING
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster is holding a virtual public hearing at 7:30 PM, on February 17, 2021 through Zoom Meeting, with a regular meeting to follow at 7:31 PM or soon thereafter. The Meeting ID is 207 812 8623 and the phone number needed to call in is 1-929-205-6099.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees: Mary Bryde, George Gaspar, Tom Boissonnault
Village Police Chief:
Village Engineer:
Village Counsel: Jennifer Herodes
Clerk & Treasurer: Michelle Chiodina
Deputy Clerk-Treasurer:

Absent:

John Del Gardo
Todd Atkinson
Gregory Folchetti
Donna Milazzo

Pledge to flag.

Public Hearing

The Public Hearing is for public comment on the Eminent Domain Procedure Law in regard to the Urban Renewal Plan for the Brewster Urban Renewal Area. The purpose of the hearing will be to discuss and consider the acquisition by eminent domain of fee simple property interests in certain real property parcels, lots and/or tracts of land located within the Village of Brewster in accordance with, and in furtherance of the public purposes of the referenced Urban Renewal Plan. Such discussion and consideration of the acquisition by eminent domain of said property interests shall include and not be limited to those real property parcels, lots and/or tracts of land which have been specifically identified in the referenced Urban Renewal Plan, as well as certain other parcels, lots and/or tracts of land not identified in the referenced Urban Renewal Plan for which the acquisition of such fee simple therein would also be in accordance with, and in furtherance of the public purposes of the referenced Urban Renewal Plan.

Mayor Schoenig motions to open the Public Hearing, Trustee Bryde 2nd, all in favor 5 to 0.

Mayor Schoenig makes a statement before opening Public Comment, which will be attached to these minutes.

Mayor Schoenig: With that said, we are going to give everybody a chance to speak for three minutes. A few rules that we need to go by if you are going to speak, we need you to speak your name clearly and we ask that you spell your name. If you are talking about a property that's in this area, we ask that you tell us what property you are speaking about. To make it fair so that we can get the property owners on first, the Board has asked if we can have those property owners speak first.

Clerk Chiodina begins to read names in alphabetical order and asking those people to unmute themselves if they wish to speak. Clerk Chiodina reiterates what Mayor Schoenig requests.

Martin Hellman: May I speak?

Clerk Chiodina: Yes, you may speak.

Martin Hellman: I'm Martin Hellman, I'm the managing member for Martingale Management, LLC, which owns 35 Oak Street and 104 Main Street. Just a question: how serious is this, is this something that is definitely going ahead, or is it just being thought about? Do we lodge objections if we have them now or will there be plenty of opportunity later?

Clerk Chiodina: Mr. Hellman do you have any other comments?

Mr. Hellman: It was a question. This was the first that I've heard and we were originally in Phase 3, and you haven't done Phase 1 and suddenly, we receive this letter saying that we are possibly subject to condemnation, is this something the Board is just thinking about and if this is something you are actively pursuing? What's the deal?

Clerk Chiudina: As Mayor Schoenig has said, the Board will not be answering questions at this time, this is not a question-and-answer session, but more so for comments to be heard from the community by the Board. If you do not have another comment, we will be moving on to the next person.

Mr. Hellman: No.

Trustee George Gaspar: What was that property that was being discussed?

Clerk Chiudina: Martingale Management of 35 Oak Street and 104 Main Street.

Carl Finger: Will you be calling out people?

Clerk Chiudina: You will see a pop up on your screen asking you to unmute yourself. Did you have something you wanted to say?

Carl Finger: Yes, I do, thank you for allowing me to speak and putting the time aside for everyone. I'm Carl Finger of Finger & Finger and I represent the Playhouse Building, which is also known as 52 Main Street, I think it's a property you are all aware of and generally familiar with, which has undergone substantial improvements in the past number of years. I did have a call with Tom LaPerch, who indicated that, in fact, this property is not among the currently sought pieces for the project and although I'm not asking a question, I do think that the prior comment from Mr. Hellman is indicative of a concern in general with the process and the prioritization and I think it's fair for you all as a Board, understanding that his has been going on for some time, that people should have some greater clarity than what they appear to have. As far as the Playhouse Building, in particular, we don't think it's a proper premise for eminent domain. I think if you rethink of the criteria that the Mayor read off at the beginning, in terms of deteriorating properties, goals of providing housing, aesthetics, all of the different criteria that you would think would apply to an Urban Renewal Plan like this, and in fact do, do not apply to the Playhouse Building. It has undergone significant improvements over the years, it had all kinds of new systems and essential renovations to the apartments. It is really one of the buildings that does not fall within the idea that it requires any type of renewal and does not meet the criteria that you've put forth. The owner has been a contributor to the community for many years and really is interested in continuing to contribute and maintain the property and improve the property as she has done. We feel strongly that, in addition to the potential procedural infirmities demonstrated by the lack of clarity as to the process, that this is not an appropriate property for eminent domain and we hope that you respect the contributions and the condition of the property and allow it to remain in its current situation. And as I said, I may be speaking slightly ahead, since it seems like it's likely not going to be a part of the current plan but that is perhaps more indicative of a lack of clarity of the process right now. Legally or not, I think it is encumbered upon the Board to be clear with the citizens as to what is happening and I don't think that has happened. Again, we think this property is not proper for this procedure and we hope that you'll omit it from any plans. Thank you for your time and attention this evening to myself and the following speakers, have a good evening.

Clerk Chiudina: Thank you.

Trustee Gaspar: Thanks Carl.

David Bruen: I would like to propose a question, if I could.

Clerk Chiudina: Yes, who is speaking?

David Bruen: David Bruen and I am a partner in two properties in the Village that are in the first section of the proposed revitalization, and that would be 35 Main Street and 15 Park Street. My question is, one of that, I'm a little confused with the process. We have been approached by the developers to buy our properties. Our dilemma seems to be that right now, what do we do with our tenants? We are basically being told that the purchaser, and I'm talking pre-eminent domain, will only purchase the properties, unoccupied. There's a bunch of things that come into play here, one of them is the COVID situation, where the Governor has a moratorium on evictions through May 1st, which will probably be pushed, I would imagine. But we're under the understanding that, in the original memorandum of agreement between Covington and the Village, when they started putting this together, there was a relocation clause. My question is and what I'm looking for is, is there any resources, prior to eminent domain, that will help us come to an agreement with the developer or the Village, but

also help us find places for our tenants. We currently have eleven residentials and one commercial tenant in our two buildings. Is there anyone there that can address these questions?

Clerk Chiudina: As stated at the beginning of this meeting, this isn't a question-and-answer forum, it's mostly to take comments from the public.

Counsel Herodes: I'll add to that Michelle and state that all comments that are being made will be addressed in the ultimate findings of Board. Everything will be taken into consideration and responded to at the time of findings.

Clerk Chiudina: Do you have any other comments you'd like to make?

David Bruen: Well, I feel strongly that this is a project that is going in the right direction and I am for it. I just want to be able to do the right thing for our tenants as well as obviously getting a proper purchase price for our properties. And that is my comment.

Clerk Chiudina: Thank you. Again, if you see something pop up on your screen that says that host is asking you to unmute yourself you may do so.

Gary Kropkowski: Hello, I'm Gary Kropkowski, I reside at 3 Garden Street, where I live with my family since 1999. By way of further introduction, I was the Brewster Village Attorney from 2000 to 2007. I know this is not an answer-and-question format but I would like to address by way of maybe a rhetorical question, which with the Village potentially moving on eminent domain and condemnation, has the Village Board, Mayor Schoenig and the rest of the Board, done the due diligence with regard to our good friends with the New York City DEP and the permit process where if there is property improvement. (Mr. Kropkowski was cut off by an answering machine of someone who was not muted). Am I being preempted?

Clerk Chiudina: No, someone must have unmuted themselves. Please keep yourself muted until you are asked to do so otherwise. You may continue.

Mr. Kropkowski: It goes along the lines of making sure you do the due diligence with the New York City DEP because of the onerous penalties that could fall on the Village if we are in violation of the various permits. New York City DEP, in my experience and my understanding, at least the way it was back then when I was the Village Attorney, won't be coming after the property owners or whomever might be the prospective developer or property owners on this, they'll be coming after the Village. So, I want to make sure that that's an issue that's raised even though my property isn't specifically affected, but it could affect the Village in a very major way, in terms of potential litigation with New York City and with the City DEP. Thank you very much.

Clerk Chiudina: Thank you. Again, if you have already spoken you will possibly get a chance to speak at the end of the Public Hearing but if not, we will accept written comments as well. Again, if something pops up on your screen asking you to unmute, and you would like to say something, you may unmute yourself.

Jamie Callanan: Have you moved to public comments or are you still working through those that are owners?

Clerk Chiudina: If you would like to make a comment you may do so.

Jamie Callanan: I have seen the plan and I think that this is transformative for Brewster, not only the Village but the Town of Southeast. I think that it looks amazing, sounds like this developer has done this type of business before and really has an incredible vision that we haven't seen before, so it is exactly what people are looking for and it's extremely exciting and it has a lot of backing from the community. I really just wanted to put out there that people are excited about this transformative project and are really hoping that this goes through.

Clerk Chiudina: Thank you.

Chris Sherman: I would like to echo Jamie's comments. This is Chris Sherman and my wife Lynn, we live in Brewster. I have seen the plans and everything I have seen really looks great. I mean I grew up in Mahopac and used to come to Brewster quite often to go to the movies and play pool. It really looks good and it looks like it's going to be a step in the right direction for the Town.

Clerk Chiudina: Thank you.

Joy Sarro: May I ask a question?

Clerk Chiudina: Yes, who is speaking?

Joy Sarro: Yes, this is Joy Sarro, I'm just curious to know, is 20 Garden Street, the old Garden Street School building?

Clerk Chiudina: To clarify, yes that is Garden Street.

Joy Sarro: Thank you, that was my question.

Karen Dovi: Hi my name is Karen Dovi, and I missed my name that came up and I just wanted to comment. I have been living here now for about 25 years, raised my children, they are both in college and they are going to be returning. We frequent Pawling, Beacon, the villages are absolutely wonderful to go with family. It is enticing for young people to come back. I am ecstatic, my family is ecstatic with the plan. We have listened to the Village meetings we have been attending, you have really brought forth a lot of information, and I want to thank you for that, in the previous meetings and we are for it. I am hoping that it is going to entice our children to come back here, raise their families here, frequent the businesses in Brewster like we do in Pawling, Beacon and Katonah and give back to this wonderful community that we are in. I am all for it and there are so many people that are 100% backing this and we cannot wait for it to happen.

Clerk Chiudina: Thank you very much.

Kim Regan: Hi, it's Kim Regan. I also grew up in Brewster and I remember going to the Cameo and to Hopes and having egg-nogs at the Hopes Drugstore. My family does as well, Karen, frequent Beacon, we go to Pawling, to beautiful villages, we go into Connecticut, because we don't have that anymore. We don't have wonderful restaurants to go to and this plan looks fantastic and I cannot wait for my young children, who are 18, 20, and 23, to be able to do what I did in this Village, and to go to wonderful restaurants and to walk the Town and to have a beautiful life that should be this Village. I'm looking forward to this plan going through and I fully support everything that is going to happen in the Village. Thank you very much for all the hard work you do.

Clerk Chiudina begins to read from the list of people who are on the Zoom call and asking them to unmute themselves if they wish to speak.

Ellen LePere: Hi Michelle, may I speak?

Clerk Chiudina: Yes, what is your name?

Ellen LePere: My name is Ellen LePere, I have lived in Brewster for 35 years, and used to work many, many years ago at Putnam County Savings Bank, and dated my husband and we used to go out for dinner in the Village and go to a movie and then stop and have a drink and when I tell my children that, they are in awe that the Village was so vibrant and lovely. So, when I look at this plan and I see your vision for our Town, I get extremely excited, that they may know and my grandchildren will know, what I knew of Brewster. It's a lovely town, a lovely community. The people here are so excited to be able to use that town. Your vision is awesome and there are tons and tons of people behind this and are really excited about it. Thank you.

Clerk Chiudina: Thank you. If anyone else would like to unmute themselves to speak you may do so.

Patty Kaufman: My name is Patty Kaufman and I want to add to a few things that I've heard. I think that the plan is outstanding, I think that a lot of hard work and diligence has gone into this and I think that Brewster is desperate for revitalization. I really hope that it is shined upon and not frowned upon and that we go forward with this plan because it's a fabulous idea. Thank you everybody who has done so much hard work and thank you for this opportunity to have a word.

Richard Skjerli: Yes, I would like to speak, my name is Richard Skjerli, I am the Pastor for the Church down on Park Street and Marvin Avenue. We have the two properties there that are right in the middle of this project. We did speak to Tom LaPerch as well as the developer, I forget his name, but we sat and had meetings with them as well. It's one of the things we can't stand in the way of, what the Village wants to do and we see the benefits of what they want to do. As I stated before, I don't want to be a road block to something like this, but we always have to figure out what we are going to do as a Church and where we are going to be. Fortunately, we were able to do something and at this time, it looks like we are going to move to the Episcopal Church up on the top of the hill. I also had a question, but I didn't realize this would be a non-question-and-answer forum, but would like to throw it out there and maybe call and make an appointment with someone or maybe come to one of the regular meetings to discuss something. But we are a non-profit organization and the properties that we have are tax exempt at this point and I guess they would go back on the rolls once they are bought by the developer, unless, I'm not sure if the Town came up with or have an agreement with the developer, with the County and the Town and the Village about the taxes and the tax rolls of the property that they would acquire. So, that's something that I don't know about, I know that we are tax exempt and when we buy this new building that we are going to move into,

I did go to the Town and talked to the Assessor, and they mentioned that the building would go back on the tax rolls. I just wanted to see if there was a possibility or a way, because we are not selling the properties as a Church because we want to, but because we are going to have to and we are going to move to another building and it is going to create an expense for us that is probably in the neighborhood of about \$20,000 to \$30,000 more than what we expected. Once it goes back on the roll and the appraised value of the Church up there, the tax assessment would probably be about \$25,000 to \$30,000. And so, I was hoping that maybe, because the Church has never been on the tax rolls and no one has ever paid taxes on that building or property, that there might be a way that the Village would help us, with the tax assessor and possibly allow that building to stay as a tax-exempt property. I just hope that we can do that and I will probably call the Village to see if we can make an appointment or I'm not sure if it is better to come to a regular meeting and see if we can discuss it there. Is there anyone that can give me some guidance on what I should do?

Clerk Chiudina: You can always put your questions in writing but we will have to move on, thank you.

Scott Seaman: Hi this is Scott Seaman; I have lived up here coming on 30 years. I appreciate all the work that the Village has put into this project and I have seen it evolve over time. I'm very appreciative of all of the input that has gone into it and I wanted to thank Mayor Schoenig and the rest of you for keeping working on this through a lot of difficult times. I've seen that you've made special exceptions to try to aid some of the people living in the Village to try to find housing and such. The initial plan has gone through a lot of remediation but I see it has a lot of hope and have a lot of promise in it and I appreciate the work on it, thank you.

Shona Beal: Hi my name is Shona Beal and I have to agree with what everyone is saying, how this is going to make our community a much better place and bring us together and unify us and I think it's a great idea.

Clerk Chiudina: Thank you.

Steven Priest: Well, I am Steve Priest, I own Jack and Jill Amusement Center and Billiard Room in Brewster. I grew up in Brewster, I have been playing pool there since I was 14 years old, and I am 66 now. I have an art deco building, I have history, many, many people came through the Village of Brewster and have lived in Brewster and played pool and enjoyed themselves, recreated in my pool. What's going to happen with this Urban Renewal Project is the Billiard Room is gone, the history, the beautiful building, is going to get torn down, and it breaks my heart. I have been waiting 5 or 6 years for when the Village of Brewster sold me out to Harold Lepler and I was supposed to have a purchase offer, back 5 years ago, 4 years ago on my building, they turned my building value into zero and there is no resale value because it is under eminent domain threat. So here we are, Harold Lepler couldn't get this deal together, and eventually got a buyer for it, who is iPark, and now this process is starting again. So, in the last 5 years, I had to keep my head high, pay my bills and wait and wait and wait, until this point here, where all the sudden we have a new buyer and it looks like they are going to be tearing my building down and I just have to say that it breaks my freaking heart, that this is going to happen. And I have to also say that I really wish the Village of Brewster would have come up with alternative avenue to recreate the downtown Village, the restaurants that would have been, should have been, parking and took care of the merchants down in the Village of Brewster, instead of catering to surrounding people that wish the Village of Brewster would come back. I just think that it's a disgrace, so that's all I have to say and thank you very much.

Clerk Chiudina: Thank you.

Jack Bolnick: This is Sue and Jack Bolnick and we are going to pass on speaking until we know what is going on. You know, everything sounds great, visions are good, plans are good but let's see what reality brings, thank you.

Clerk Chiudina: Thank you.

Ilir Cubi: We are the owners of 5 Park Street, me and my wife Suzanna, and first off, basically it is a very, very overwhelming situation, especially probably for the owners in that document that was sent with the list of the properties of what is going to happen or what might happen. Number 2, it is really during a time of a chaos with this COVID situation, a lot of families were affected by this situation and especially in the area where people want to do regarding the community, which is not a bad idea, again, but again, a lot of people are being affected in so many ways than one. It is very overwhelming. I was hoping to hear people asking questions and answers being answered back so at least there would be some type of closure and some questions that people may have and its especially hard through Zoom or an iPad to really show people's face and emotions and how they really feel about what's going on in this situation. We were approached by Tom with a certain price, which was very, very unappreciated from the beginning, especially after all of the hard work that I put into the property. I did clean it up, I did so much work on that block, especially in the house part to make it look more decent. I did good for the

tenants, we have very nice tenants and I feel for my tenants, they are really good people. I just hope that whatever they decide that they are going the right way to understand that most of the owners that own these properties have put a lot of heart and soul into those properties and I do love the Village, every time I come up there, I feel like, wow what a place. But again, I just feel like it's a very overwhelming thing and I really feel like the people that tried to do right by the property were not really appreciative of the owners, they just tried to low ball them as much as they can, which I really think is very unfair.

Clerk Chiudina: Thank you. Wendy, I see that you have raised your hand, so I will allow you to speak.

Wendy Lewis: Thank you, my name is Wendy Lewis and I am a Town of Southeast resident. I have been in Brewster for 47 years, so basically my entire life. I really saw that Village when it was thriving and unfortunately, for the last 30 years, it has been sinking like a rock and it continues to do so. So, the prospect of something like this coming in and now it's a reality, I think it is something that we have to take ahold of, accept it, and move forward. This could raise everybody's property values; I hear some of the owners say that they are owners of these buildings but I wonder how many of them actually live here. We live here and the state of the Village right now really impacts our home values in a negative way and I would love to see that change. We have seen little villages all over Westchester and Dutchess really come about in the last 10 years and I feel like the Village of Brewster really can be one of those; it can be the new Beacon. It has so much potential and we need someone to come in, like these builders, to go ahead and move forward and do it, and just know that you have so much acceptance and we would be grateful for this to happen. So, I am 100% behind this.

Clerk Chiudina: Thank you.

Thomas Antonecchia: Hello, my name is Thomas Antonecchia, I am an attorney, my office is in Katonah. Mr. Mayor, members of the Board, I submitted a letter dated February 15, 2021, and I ask that you incorporate that into the record. Essentially, I represent Tamarabros, LLC, the owner of 55-61 Main Street, you know it as Julia's and also the restaurant, El Pueblo. Julia's is owned by Marta Guerra and she has been in business in the Village for 18 years and she has been at that location, for 16 years. And last year, Marta, with me representing her, purchased the property from Putnam County and shortly after we closed title, which was at the end of October, we got word that the Village of Brewster was going to condemn the property, that Marta just bought from Putnam County. Putnam County never disclosed anything, there is nothing on the title report that disclosed anything, there was nothing in the municipal report, that disclosed anything. And here is a woman that is a gem, I have never seen anybody so vital and such a wonderful person and she has a business that is a thriving business on a main street. And you know where you see that today? You don't. You know why? Because outside of buying a cup of coffee or a slice of pizza, the consumer today gets an Amazon truck delivery. And here we have an actual vital business, that has been vital for a number of years as well as the other occupant of the building, which is the restaurant, which has done exceptionally well. The inequitable thing about this particular situation is that Putnam County did the sale, the property was up for sale, why didn't these investors go in and buy it up? The County didn't disclose anything.

Clerk Chiudina: Thank you, you have hit your three-minute mark, any other comments you would like to make will have to be done in writing.

Thomas Sprague: Hi everyone, Thomas Sprague, I own and operate Bob's Diner in the Village of Brewster. We've been around a long time, I'm the third generation to run it, so, you can imagine how many people are going to be upset, when they learn that Bob's Diner would be closed. I guess the only thing I'd really like to get into is, there's a lot of land owners on here tonight, Tom LaPerch is a great guy, I've known him for a long time, I trust him. I've met with the developer, he took me aside, he's also a very nice gentleman, he's got great energy about him. I think what's happening here is going to be very beneficial for the Village, we just have to keep in mind, the developer, Tom and the Village needs to keep in mind, that there is a lot of heart and soul, like the attorney was just mentioning, the woman from Julia's is actually a really great woman. They just have to keep in mind that there's a lot of heart and soul in the Village. So, for all the land owners in the Village, my suggestion, I'm still learning, this is a huge process, get an assessment on your property, get an appraisal on your property. You have to defend yourself; you have to defend what's yours. You have to evaluate where your worth is at. I think that's it. Protect yourselves and good luck everyone.

Clerk Chiudina: Thank you.

Tom Williams: Hi good evening, my name is Tom Williams, and I just wanted to say that I am in support of the revitalization program that has been set forth in the Town and I appreciate everyone's efforts into moving this forward. Hopefully it progresses in a positive manner. Thank you very much.

Clerk Chiudina: Thank you.

Tim Salinger: Hello, this is Tim Salinger, I am now the fourth-generation owner of Salinger's Orchard, my family has been here for four generations, over 100 years. I am really in love with the vision of what the Town, the Village, the developer has put together for the future revitalization of the Village. I think it's really, really important that we go ahead with a plan, that's this bold. I know it's hard for business owners and property owners to, maybe have to part ways but we have seen thirty, forty years of a downward trend in the Village and I think it's crucial at this point, especially with the growth of the suburbs of the cities and the exodus from the downtowns to sort of revitalize our downtown business district and this is quite the opportunity. The developer has done an amazing job on some of his other projects, such as down in Tarrytown and iPark, the quality of the builds are fantastic and he actually has the power and the will and the vision to get this done. I know a lot of other opportunities have been presented and we have never been able to get across the finish line and I am excited to see where this could go. I am fully in support of this program and look forward to seeing it come to fruition. Thank you very much.

Clerk Chiudina: Thank you.

William McManus: My name is William McManus, I represent the owner of 7 Park Street, which is the Northeastern Conference and the Seventh-Day Adventist and I would just like to say that my client reserves the all rights to make all objections upon your final determination and I look forward to hearing your case.

Clerk Chiudina: Thank you. I will now be announcing the telephone numbers that are listed, so if you hear the last four digits of your number you may unmute yourself to speak. If you could just state your name.

Chrissa Skeadas: Hi this is Chrissa Skeadas, how do I get a copy of the plan?

Clerk Chiudina: The plan is available on our website, brewstervillage-ny.gov. It is under the Urban Renewal announcement for the works session that was held in October. There are not exactly plans but concepts that the developer came up with.

Chrissa Skeadas: Okay, thank you very much.

Lillian Spannaus: Hello, this is Lillian Spannaus and Peter Spannaus. I just want to say that we are so excited about this plan. We moved up here about 25 years ago with our three kids and we thought for sure that this would be the next town that would be rejuvenated and we are just so thrilled that we are about to be a part of this. So, thank you very much everybody that's working so hard on it, we appreciate it.

Clerk Chiudina: Thank you.

Wendy Koehler: Hi my name is Wendy Koehler. I'm calling because I have lived in Brewster my whole life, 60 years, as have my parents and their parents and I think that the revitalization plan is absolutely beautiful. However, I do also think that if there is a way that the developer can incorporate Bob's Diner and the Pool Hall and the other iconic places that have been here and maybe offer them some type of a venue within this new plan, it would be a really nice gesture and it would be really nice for those of us who have those positive memories of when the Village was vibrant, many years ago. And that's it, thank you.

Clerk Chiudina: Thank you.

Jefferey Nesheiwat: Hello this is Jefferey Nesheiwat and I'm just talking briefly on behalf of 66-70 Main Street. First of all, I am talking on behalf of my father, so I might get his message not quite right, I am not legal counsel, I am just a concerned son. I'm talking here because every day, for the past several years, the foremost thing on my 89-year-old father's mind is about his building, which he bought over four decades ago and invested a significant amount of sweat equity and intangible time and stress time into. I swear that building was another one of his kids with the effort that was put into it. It now houses several stores, that are vibrant businesses, that are generating income, that are a hub for many, many people in the community. The Urban Renewal Plan is something we are very much in support of, we think the vision that is spelled out for the future of Village is phenomenal. We want to be a part of that, we want to partner with the community in that. Eminent domain is a very powerful tool and should be used cautiously. There are owners who want to work in collaboration with the developer, rather than have their vibrant properties wrenched away from them, in support of the Urban Renewal, in the name of Urban Renewal. We would like to work with these developers, with the developer, to realize the plan and to distribute the risk and the ownership and maintain some of that history that was spoken about so eloquently before, in the community. So, I think using Urban Renewal in a sweeping fashion, it's a shame, really, especially when it's a source of great concern of many people who have been pillars of this community for so many decades, who have so much of their time

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sweat and blood and tears invested in it. The other point I just wanted to address, which was mentioned earlier, is that, if you are going to go this route, good faith negotiation and good faith offers with the owners and just respect for that fact that there is history there. There's a lot of time invested in the community and going off the assessed value from the taxes, you have to look at the proper value, you have to make good faith offers because it is just stressing people out, unnecessarily. So again, I just want to reiterate our support for the plan and I just hope that the Board, in its wisdom, will come around to actually realizing that there are owners who would like to work with the Town, to realize their vision. Thank you very much for your time.

Clerk Chiudina: Thank you. I went through the whole entire list, if there is anyone else who would like to speak now that did not get a chance to speak, you may unmute yourself. It will be up to the Board if they would like to hear a second round of hearing people from the community. If not, the Board will have an open comment session, that will be emailed to myself, the Village Clerk.

Francine Delbono-Santos: Hello, I would just like a second to speak, my name is Francine Delbono-Santos. I have spent my entire life, less than a half mile, on the outskirts of the Village, so I grew up being able to walk down to the Village for entertainment and dining and shopping and I have just amazing memories of being able to walk from the schools down into the Main Street. And I feel like I have been attending meetings about the revitalization for so long, since we were in Garden Street's gym, getting presentations, and this is just an exciting opportunity now, to actually be to a point where renewal and revitalization looks like it's going to happen and is feasible. And I just really want to thank the Village Board and Trustees for just persevering and just trying to explore every option possible and try to get through every obstacle that's been in the past 10 to 15 years, this has been in the process, and I'm excited because I plan on staying here another 43 years. So, I am excited that maybe I will be able to walk down my hill, back into the Village, for some different shops, thanks.

Clerk Chiudina: Thank you. There were a few other people that have just come into the meeting, if you have something to say, you may unmute yourselves.

Mr. Sprague: Hi it's Thomas Sprague again, somebody had mentioned about the developer offering space and I should have mentioned when I had my 3 minutes, I'll make this brief. When they took me aside, they did offer Bob's Diner some space inside of the new project. It took me a long time to decide whether or not I wanted to stay in the restaurant business, I have been in that diner for thirty-something years already. We have decided that we want to stay in the restaurant business, where, we are not 100% sure, we would like to be near the train station. For all the people that love the diner, we appreciate you very much, we are going to stick around for all of you that might not like the diner, give us a second chance. We have renovated, come by before we are not there anymore. Thanks again, Michelle, for the extra moment.

Clerk Chiudina: Again, if you would like to speak, please unmute yourself now.

Cynthia Fox: Hi this is Cynthia Fox; I also grew up here and I am really excited. I am new at following this project and from what I am hearing, I am really excited. I also remember being able to go to the Library and walk down to the movie theater and go to Hole-In-One Bagel, and just really be able to spend a day there in the Village. I do have to say I would be very sad to see Bob's Diner go. I think that, that is a landmark that has been there since I was a little girl, before me. I think that they have made it through the Village going, kind of downhill, and we are bringing it back up again, and I think that they were the ones that thrived through the entire time. That's the only reconsideration that I wish we could possibly work in, is keeping that, but I am really excited to see where this is going to go, I am excited for my children and we are also another family that has been here forever, our extended family is here, and we are all just really excited for this. Thank you.

Clerk Chiudina: Thank you. Again, anyone else who would like to speak, that may have not had a chance to speak in the beginning, or maybe would like to do so now.

Lydia Nioris: Michelle, may I say something?

Clerk Chiudina: Sure.

Mrs. Nioris: I am having a difficult time trying to find the rendered drawings that the developer is proposing. We see a picture of a housing complex, one that looks like it could be three or four or five blocks, but there is really no detail. Am I looking on the wrong site because this isn't the website I am used to?

Clerk Chiudina: We did just update our website, so I can understand the confusion. But it sounds like you are in the correct spot. If the Board is okay with me sharing my screen, I will show you where to find this.

Mrs. Nioris: I think that would be helpful for a lot of people.

Clerk Chiudina: So long as the Board is okay with that.

Mayor Schoenig: Go ahead.

Clerk Chiudina: Unfortunately, those who are not on a computer, will not be able to see this. If you go under the Community Tab, under News & Announcements, under Alerts & Announcements. If you scroll down to the article named "Urban Renewal Project Work Session Zoom Meeting 10/28/20" you will see the link for the presentation that was given. Again, these are just artist renderings back from October, and so here are some of the visions that they have.

Mrs. Nioris: Is this an updated plan? I'm sorry I know that I'm not supposed to ask a question but I am assuming this is an updated plan from what was there before.

Clerk Chiudina: This is from October, 2020.

Mrs. Nioris: Thank you so much, this is all I needed to ask, thank you.

Clerk Chiudina: No problem, this is the last call for those to unmute themselves to speak. Board if you are satisfied, you may proceed with closing the public hearing. This is the last call to speak in front of the Board, any other comments that you would like to make, will need to be made in writing. My email is available on the Village website. There is nothing in the chat that needs to be said.

Deputy Mayor Piccini: The Board will receive comments for the next week, written comments only to the Board via the Village Clerk. Those will be incorporated in the comments that we received today and all of those get responded to, in writing, within the time frame that we have to do that.

Mayor Schoenig: The Board will allow written comments until February 25, 2021 until 5:00 PM. We will take the comments either handwritten or an electronic format, correct Jennifer?

Counsel Herodes: Correct.

Mayor Schoenig motions to keep the public hearing open for public comment in an electronic or handwritten format until February 25, 2021 at 5:00 PM.

Deputy Mayor Piccini 2nd, and would also like to say that it was a really odd format that had to be used but kudos to everybody who took the time to say your thoughts and all of the members have been a part of this Board for some time, so we have all been working on this for some time, and it certainly felt nice to have people say that they appreciate the hard work that has gone into this. I think I speak for everyone, but I am definitely speaking for myself that, that was nice to hear, no matter what else you said, but there was a lot of that, that was good. There was a lot of hard work that went into this stage so far.

The Board votes all in favor 5 to 0. None Opposed and No Abstentions.

Mayor Schoenig motions to open the regular meeting, Trustee Bryde 2nd, all in favor 5 to 0.

Regular Meeting

1. Penalty for Account 387, 8 Allview Avenue. No Representative Present -Tabled.
2. Account 133, Payment Schedule. Clerk Chiudina reminds the Board of the email correspondence between the property manager, Laurie Manning and the Village regarding the payment schedule for Account 133. The parties have come to the agreement to pay \$1,034.80 for the first payment and \$1,034.78 for the last three payments on the 19th of every month beginning February 19, 2021 and ending on May 19, 2021.
3. C3ND Proposal for Approval for WWTP. Clerk Chiudina recalls the email that was sent by Village Engineer, Todd Atkinson regarding proposals for the RBC bearings and seal replacement at the VOB WWTP, which JRFA recommends the VOB move forward with the proposal from C3ND for \$33,140.00. Mayor Schoenig motions to award the project to C3ND, not to exceed \$33,140.00, Trustee Gaspar 2nd, all in favor 5 to 0.
4. Correspondence Sent-Received, January 2021. Mayor Schoenig motions to approve the Correspondence Sent & Received for January, 2021, Trustee Gaspar 2nd, all in favor 5 to 0.
5. Minutes for Approval - February 3, 2021. Trustee Bryde motions to approve the Minutes from February 3, 2021, Trustee Boissonnault 2nd, all in favor 5 to 0.

6. Vouchers Payable. Trustee Bryde reviewed the vouchers in the office and found everything in order. Trustee Bryde would also like to thank Deputy Clerk Milazzo for making checking the vouchers very easy by organizing the vouchers in alphabetical order. She mentions that Deputy Clerk Milazzo has done a terrific job in getting everything set up and she is grateful for her efforts.

6.1. A -	GENERAL FUND	\$25,923.25
6.2. C -	REFUSE & GARBAGE	856.45
6.3. EN -	ENGINEERING FEES ESCROW	61.18
6.4. F -	WATER FUND	10,875.88
6.5. G -	SEWER FUND	74,478.70
6.6. H65 -	WELLS PARK BIKE PATH CONNECTOR	5,725.00
6.7. T -	TRUST & AGNECY	2,808.41

Total Vouchers Payable \$120,728.87

Mayor Schoenig motions to approve the vouchers payable as written, Deputy Mayor Piccini 2nd, all in favor 5 to 0.

7. Other Business

- 7.1. Deputy Mayor Piccini recalls the proposed resolution that was mentioned at the previous meeting regarding the agreement between the Village and Covington for the lease or sale of the DEP property and if the Board may move forward now that the Trustees have reviewed the resolution. Counsel Herodes states that the Board may move forward with a resolution allowing the Mayor to sign. Deputy Mayor Piccini motions to allow Mayor Schoenig to sign Resolution 021721-1, Trustee Gaspar 2nd, all in favor 5 to 0.
- 7.2. Trustee Gaspar asks that home owners take care of their sidewalks and clear them of snow within the 24-hour period of the last snowfall. He continues asking that the Code Enforcement Officers to be more diligent.

8. New Business

- 8.1. Deputy Mayor Piccini mentions that the Suburban Carting Contract as it expires at the end of the year and states that the Board may need to conduct a new RFP or some other process to go out to bid for a carting company. Deputy Mayor Piccini states that she will work with Clerk Chiudina in the upcoming months to begin organizing this. She would also like to thank Clerk Chiudina for posting the information about not putting trash out on Monday night as it was a holiday and the pick-up dates had shifted.
- 8.2. Trustee Bryde mentions that she sent an email to remind the people in her community that the pick-up date was Wednesday and not Tuesday. She notes that on behalf of her good friend, Selena Cable and the Ed Schneider family, would like to thank the Mayor for lowering the flag. She explains that Mr. Schneider passed away on February 7th and he was a 70-year fireman for the Brewster Fire Department and the family was grateful for the acknowledgement. She continues stating that Selena was an over 40-year companion of Mr. Schneider and herself and the whole family sincerely thank the Mayor.
- 8.3. Trustee Boissonnault states that he will be opening the park this year, and as soon as the snow melts, he plans on replacing some equipment. He states that he is starting to receive inquiries about booking the park for more plays in the Spring and Summer, which he is looking forward to.
- 8.4. Mayor Schoenig asks Counsel Herodes about questions that were asked and if it would be appropriate for him to address some of those now. Counsel Herodes confirms the Mayor can clarify any questions or comments that were made. Mayor Schoenig notes Pastor Skjerli's comment about St. Andrew's being on the tax rolls and he is unsure why the building would be on the tax roll and would be surprised to hear that it is. He mentions that he would be willing to discuss this further with Pastor Skjerli. Mayor Schoenig also discusses the concerns that Mr. Kropkowski brought up about the possible issues with DEP and notes that the DEP has been included since the beginning of these discussions, especially with the land transfer, that was just recently signed. He also notes that the Village, the developer and the engineers are aware that there are SPES permits that cannot be broken. Mayor Schoenig informs the public about Rose Noonan for relocating tenants and will be signing an agreement with her very soon. Mayor Schoenig clarifies that the phases are not labeled as such to follow a chronological order, only as identification. Mayor Schoenig would also like to clarify that eminent domain is not being forced and the developer will be negotiating with the property owners, regarding their buildings and this Public Hearing is a part of the process that needs to be followed from the New York State guidelines. Counsel Herodes would like to clarify that there is information available for this project on the Village website. Mayor Schoenig notes that there was an old photo of an artist rendition on an article, regarding this meeting tonight, that was posted on Facebook, but that is no longer the direction that the project is going in. Mayor Schoenig would also like to note that what is on the website is not finalized and the developer will need to go through public hearings with the Planning Board for the

final plan to be approved. Mayor Schoenig states that himself and Deputy Mayor Piccini have been working on this plan for over 7 years and this is a great plan for the Village and that is why the Board decided to go down this road. Deputy Mayor Piccini states that it was great to hear that people are hoping that business owners are offered to keep their business in the Village and in the revitalization, which was always a hopeful possibility and it is being offered. Mayor Schoenig states that he is happy to hear that someone who attended the public hearings at Garden Street and that the Board asked for public input for the last 7 years. Mayor Schoenig notes that there was a lot of time and energy put into this plan and it is nice to hear from the community that the Board's hard work is being recognized and acknowledged.

9. Public Comment.

9.1. John Lord, Town of Southeast Councilman, asks about the status of the DEP agreement and Mayor Schoenig has confirmed that he has signed the agreement and it will be signed by the DEP as well. Mr. Lord asks about the timeline for when will all the properties will be acquired and Trustee Gaspar states that it is too early to tell. Mr. Lord also asks if the Village Police were involved in the FBI investigation, and Clerk Chiudina states that the investigation is still ongoing and the Board cannot speak to this.

9.2. Scott Seaman, Brewster Board of Education, thanks the Board for holding the forum earlier and allowing the community to get involved. He also notes that it is obvious the amount of work and dedication that went into this plan and it is greatly appreciated. Mr. Seaman states that the schools will be closed this week.

10. Mayor Schoenig motions to adjourn the regular meeting, Trustee Bryde 2nd, all in favor 5 to 0.

STATEMENT FOR PUBLIC HEARING FEBRUARY 17, 2021

TONIGHT'S PROCEEDINGS ARE THE STATUTORILY-MANDATED PUBLIC HEARINGS REQUIRED UNDER THE EMINENT DOMAIN PROCEDURE LAW PRIOR TO THE ACQUISITION OF ANY REAL PROPERTY BY A MUNICIPALITY. BEFORE THE BOARD OPENS PROCEEDINGS FOR PUBLIC COMMENT ON THESE MATTERS, WE FELT IT BEST TO MAKE A FEW PREFATORY REMARKS:

1. WHILE THE PUBLIC HEARINGS REGARD THE POTENTIAL ACQUISITION OF PROPERTY PURSUANT TO THE URBAN RENEWAL PLAN, THIS IS NOT A REFERENDUM OR RE-VISITING OF THE URP WHICH WAS ADOPTED BY THIS BOARD FIVE YEARS AGO. BY WAY OF REVIEW, AMONG THE PUBLIC PURPOSES FOUND TO BE PRESENT IN ADOPTING THE URP WERE THE FOLLOWING:
 - A. TO ELIMINATE SUBSTANDARD CONDITIONS WITHIN THE VILLAGE
 - B. TO REDEVELOP DETERIORATING AND UNDERUTILIZED PROPERTIES WITH RESIDENTIAL, RETAIL, PARKING, AND OPEN SPACE USES;
 - C. TO CREATE NEW HOUSING OPPORTUNITIES;
 - D. TO PROVIDE SUPPORT FOR LOCAL RETAIL AND SERVICE ESTABLISHMENTS;
 - E. TO ENHANCE THE AESTHETICS OF THE URBAN RENEWAL AREAS
 - F. TO IMPROVE PUBLIC SAFETY;
 - G. TO INCREASE LOCAL EMPLOYMENT OPPORTUNITIES;
 - H. TO GENERATE ECONOMIC ACTIVITY AND REVITALIZATION;
 - I. TO STRENGTHEN PROPERTY VALUES;
 - J. TO ENHANCE THE QUALITY OF LIFE THROUGH MORE OPPORTUNITY FOR AND ACCESSIBILITY TO INDOOR AND OUTDOOR RECREATIONAL CULTURAL AMENITIES,
 - K. FOR THE PURPOSES AND INTENT SET FORTH IN DETAIL IN §501 OF

THE NY GENERAL MUNICIPAL LAW

2. ALL THOSE INDIVIDUALS WISHING TO SPEAK AT THE PUBLIC HEARING WILL BE GIVEN AN OPPORTUNITY TO SPEAK. THE BOARD WILL HOWEVER REQUIRE THAT YOU KEEP YOUR COMMENTS LIMITED TO THE ISSUES OF THE POTENTIAL ACQUISITION OF REAL PROPERTY AS CONTEMPLATED HEREIN IN THE PUBLIC HEARING NOTICE. TO FURTHER CLARIFY, THIS IS NOT A QUESTION AND ANSWER SESSION BUT AN OPPORTUNITY FOR THE PUBLIC TO BE HEARD PRIOR TO MAKING OR ADOPTING ANY FINDINGS ON THESE ISSUES. EACH SPEAKER WILL BE ASKED TO LIMIT THEIR COMMENTS TO NO MORE THAN 3 MINUTES.
3. THE BOARD WISHES TO PROVIDE A BRIEF OUTLINE OF THE PROCESS THAT LIES AHEAD IN THIS MATTER, COMMENCING WITH THE CONDUCTING OF THE PUBLIC HEARING THIS EVENING. ONCE ALL SPEAKING COMMENTS ARE CONCLUDED, THE BOARD MAY ELECT TO LEAVE THE PUBLIC HEARING OPEN FOR ADDITIONAL WRITTEN SUBMISSIONS FOR A PERIOD OF ONE TO TWO WEEKS AFTER THE MEETING ADJOURNS.
4. ONCE THE PUBLIC HEARINGS ARE CONCLUDED, THE BOARD WILL HAVE A PERIOD NOT EXCEEDING NINETY DAYS WITHIN WHICH TO MAKE ANY FINDINGS THAT THE ACQUISITION OF THE REAL PROPERTIES MAY BE IN THE PUBLIC INTEREST. ANY SUCH FINDINGS WOULD BE MADE AND VOTED UPON AT A DULY-CALLED MEETING OF THE VILLAGE BOARD OF TRUSTEES AND SERVED UPON ALL AFFECTED PROPERTY

OWNERS AS WELL.

5. IN THE EVENT THAT THIS BOARD DOES FIND THAT IT IS IN THE PUBLIC INTEREST TO ACQUIRE REAL PROPERTY IN FURTHERANCE OF THE PURPOSES OF THE URBAN RENEWAL PLAN, THE VILLAGE WILL THEN BE MANDATED TO MAKE FORMAL WRITTEN OFFERS OF COMPENSATION TO ANY OWNER(S) OF PROPERTY WHICH IT SEEKS TO TO ACQUIRE.
6. ANY SUCH FORMAL WRITTEN OFFER SHALL CONSTITUTE THE HIGHEST APPROVED APPRAISED VALUE OF THE SUBJECT PROPERTY. THERE IS A NINETY DAY WINDOW FOR THE OWNER TO ACCEPT, ACCEPT AS AB ADVANCE PAYMENT OR REJECT SAID OFFER OUTRIGHT.
7. NO LITIGATION TO ACQUIRE PROPERTY VIA EMINENT DOMAIN CAN ACTUALLY BE COMMENCED UNTIL ALL OF THE ABOVE PROCESSES HAVE FIRST BEEN ADHERED TO BY THE VILLAGE BOARD. SO REGARDLESS OF THE LENGTH OF PUBLIC HEARINGS IN THIS MATTER, THERE WILL STILL BE SEVERAL MONTHS BEFORE ANY COURT PROCEEDINGS COULD BE UNDERTAKEN.
8. IN THE EVENT THAT LITIGATION IS COMMENCED AGAINST ANY OWNER PURSUANT

TO THE EMINENT DOMAIN PROCEDURE LAW, ANY PROPERTY OWNER STILL HAS THE
RIGHT TO FILE A CLAIM FOR COMPENSATION OR ADDITIONAL COMPENSATION WITH
SUPREME COURT.

mchiudina@brewstervillage-ny.gov

From: James Lennon [REDACTED]
Sent: Wednesday, February 17, 2021 9:21 PM
To: mchiudina@brewstervillage-ny.gov
Subject: Brewster Urban Renewal Project

Good evening,

We are long time Southeast residents who grew up in the Village of Brewster. We wanted to comment on the project and express our gratitude to the Board and developer. We are very excited about the prospects for the village and look forward to all that this plan has to offer. This is the type of project that encourages families to remain where they grew up, invest in their communities and have a sense of home town pride. We thank you for the opportunity to provide comments and listen to others' voices tonight. We are hopeful that this project will be brought to fruition for future families to make memories like we did.

Jimmy and Lorraine Lennon=

mchiudina@brewstervillage-ny.gov

From: klsaunders1 [REDACTED]
Sent: Friday, February 19, 2021 12:47 PM
To: mchiudina@brewstervillage-ny.gov
Subject: Public comment for Envision Brewster

Hi,
I would like to submit this idea for the planning of Envision Brewster. One of the businesses that I and many others would like to see remain is Bob's Diner. Once the new bridge is completed, there is supposed to be an area of land near the Fire Department that was maybe going to be green space but if it is large enough and Tom Sprague would be willing to be closer to the rail trail instead of the train station could his diner be moved there ?
Imagine seeing that retro diner as you cross over the bridge ! And maybe bike racks could be installed for trail users to use !

Sincerely,
Karen Saunders

Sent on my Boost Mobile Samsung Galaxy S8.

mchiudina@brewstervillage-ny.gov

From: Jennifer Cuomo - [REDACTED]
Sent: Wednesday, February 17, 2021 9:39 PM
To: mchiudina@brewstervillage-ny.gov
Subject: urban renewal plan: public comment

Good evening,

I just wanted to send a comment after joining the Board of Trustees Meeting and Public Hearing tonight. The Mulvihill family has lived in Brewster for over 45 years and I joined them from Long Island over 20 years ago. I can still recall the first time I took the train all the way from Ronkonkoma to Grand Central then all the way up to Brewster. That same weekend we went to a movie at the Cameo. I fell in love with the small town feel of Brewster and when we got married we decided to move back and raise our family here. My daughters have since then enjoyed story time at the library, Founder's Day celebrations, countless parades, and have recently helped out with the reopening of Wells Park and assisted with the Village tree lighting. We have been excited each time talk of a revitalization plan has been mentioned and are completely in favor of the plans that were presented in the fall. My daughters are envious of our friends in Ridgefield where middle and high school kids all meet in town on Friday afternoons. They are hoping that this will happen one day in the Village of Brewster. I'm holding out hope that one day soon we will have an ice cream & coffee shop, Bob's Diner and a few other restaurants and even great retail shops where our local businesses can thrive. Thank you so much for all the hard work and effort that you are doing to revitalize the beautiful, historic Village of Brewster.

Regards,
Jennifer Mulvihill

mchiudina@brewstervillage-ny.gov

From: JSchoenig <jschoenig@brewstervillage-ny.gov>
Sent: Friday, February 26, 2021 10:31 AM
To: Michelle Chiudina
Subject: FW: Comments to the Village Board regarding the Revitaliation Plan

From: Kara Garecht <kara@annekoplik.com>
Sent: Wednesday, February 24, 2021 4:34 PM
To: jschoenig@brewstervillage-ny.gov
Subject: Comments to the Village Board regarding the Revitaliation Plan

Dear Mayor Schoenig,

I was on the call the other night, however for some reason I couldn't get off of mute, so I wasn't able to make a comment. Therefore I just wanted to send a quick note to let you and the Board know that as landowners of 173 Main Street, my sister Jill and I support the revitalization plans for the Village. I hope you know that we have always tried to be a positive, contributing member of the Village of Brewster community through our support of local events, donations to local organizations, positive press/social media coverage and Showroom Sales. Once the revitalization comes to fruition bringing patrons to the Village on a regular basis, we are hoping to be able to refurbish and open our Showroom more often, making it more of a regular boutique.

I also wanted to thank you and the Board for the years of hard work you have put into making this renewal project a reality. It must be an enormous undertaking with what I am sure has had many obstacles and hurdles. I hope you know that your work is appreciated.

If you would like any further input from myself and my sister, please feel free to reach out.

Kindest regards,

Kara Garecht

Kara Koplik-Garecht

Anne Koplik Designs

173 Main Street

Brewster, New York 10509

Phone: 800/542-3134 ext. 11

Fax: 845/279-7998

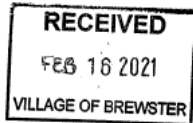
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February 15, 2021

VIA FEDEX PRIORITY

Michelle Chiudina, Village Clerk
Village of Brewster Board of Trustees
50 Main Street
Brewster, NY 10509

Re: Public Hearing Pursuant to EDPL Section 202 (C) (2)
Date of Public Hearing- February 17, 2020
Time of Public Hearing-7:30 P.M.

Hon. Members of the Village of Brewster Board of Trustees:

I am the attorney for TAMARABROS LLC, a New York Limited Liability Company whose Members are Marta J. Guerra and Ramon Guerra.

Tamarabros LLC is the owner in fee title of real property premises in the Village of Brewster, Town of Southeast, County of Putnam and State of New York known as 55-61 Main Street (Tax Identification# 67.34-2-51).

My client was granted and devised title to the subject property by the County of Putnam (Mary Ellen Odell, Putnam County Executive) by deed, dated October 28, 2020 and recorded in the Putnam County Clerk's Office on November 6, 2020 in Book 2184 of Deeds at Page 102.

Your Notice (undated, but mailed under cover dated January 26, 2021) provides that, "Any property owner who may subsequently wish to challenge the condemnation of their property via judicial review may only do so on the basis of issues, facts and objections raised at such Public Hearing". Note our objection to that purported limitation and restraint.

25 Property Addresses and Record Owners are listed. Rather than run the risk of not being heard given that this will be a "Virtual Public Hearing" via Zoom Cloud, we are submitting our challenges in writing and in advance to be read and made part of the record of the Meeting as a "written statement" as per Section 203 of the EDPL.

This property owner's objections to the proposed acquisition of its property at 55-61 Main Street are on the following grounds:

1. The proceeding is not in conformity with Federal and State Constitutions.
2. The process has been and continues to be in violation of the Due Process Clauses of the Fifth and Fourteenth Amendments to the United States Constitution.

THOMAS T. ANTONECCHIA
ATTORNEY AT LAW

3. The proposed acquisition is not within the condemnor's statutory jurisdiction or authority.
4. The proposed acquisition does not serve a government purpose; is of primary benefit to a developer; and only incidentally may have questionable benefit to the Village.
5. The proposed acquisition is not for a "public use".
6. The proposed use of the EDPL to take real property herein is racially discriminatory.
7. The subject real property at 55-61 Main Street, Brewster, New York was deeded to TAMARABROS LLC by the County of Putnam (MaryEllen Odell, Putnam County Executive), and as a result thereof The Village of Brewster is "estopped" from now taking the subject real property.
8. The subject real property at 55-61 Main Street, Brewster, New York was deeded to TAMARABROS LLC by The County of Putnam (MaryEllen Odell County Executive), and such grant has given TAMARABROS LLC, its grantees, successors and assigns and its mortgagee(s), lessee's and tenants "vested rights" which prevent the Village of Brewster from taking the subject real property.

We make this submission "without prejudice" to any of my client's rights under the Constitutions of the United States of America and the State of New York; Laws of the United States of America and the State of New York; and the Common Law and Laws of Equity.

Respectfully submitted,


THOMAS T. ANTONECCHIA
Attorney for TAMARABROS LLC